

1608/4640

Lancashire to wit.

THE General Quarter Session of the Peace of our Lord the King is holden at Lancaster, in and for the County Palatine of Lancaster, on Tuesday, to wit, the fourteenth day of January, in the thirty-fourth year of the Reign of our Sovereign Lord George the Third, by the grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, and so forth; before *Robert Fletcher*, Clerk; *Thomas Bateman*, *John Fenton Cawthorne*, *Edmund Rigby*, and *John Bradshaw Bradshaw*, Esquires, Justices of our said Lord the King, assigned to keep the peace of our said Lord the King, as also to hear and determine divers felonies, trespasses, and other misdemeanors, in the said county perpetrated. That same General Quarter Session of the Peace of our said Lord the King, is adjourned, by the same last mentioned Justices of our said Lord the King, in that Court being, until Thursday, to wit, the sixteenth day of the same month of January, in the thirty-fourth year of the reign abovesaid, to be holden, by adjournment, at Preston in
A Amounderness,

Amounderness, in and for the said County. At which Session of the Peace of our said Lord the King, holden by the said adjournment, at Preston in Amounderness aforesaid, in and for the said County, the said sixteenth day of January, in the thirty-fourth year of the reign aforesaid, before *James Whalley* and *Robinson Shuttleworth*, Esquires, and *James Barton*, Clerk, Justices of our said Lord the King, assigned to keep the peace of our said Lord the King, as also to hear and determine divers felonies, trespasses, and other misdemeanors, in the said County perpetrated — That same General Quarter Session of the Peace of our said Lord the King, is further adjourned, by the same last mentioned Justices of our said Lord the King, in that Court being, until Monday, to wit, the twentieth day of the same month of January, in the thirty-fourth year of the reign aforesaid, to be holden, by adjournment, at Wigan, in and for the said County; at which Session of the Peace of our said Lord the King, holden by the said adjournment, at Wigan aforesaid, in and for the said County, the said twentieth day of January, in the thirty-fourth year of the reign aforesaid, before *Robert Master*, Doctor in Divinity, *Thomas Baldwin*, *Nicholas Rigbye Baldwin*, *Thomas Blackburne*, *Thomas Holme*, Clerks, and *Thomas Barton*, Esquire, Justices of our said Lord the King, assigned to keep the peace of our said Lord the King, as also to hear and determine divers felonies, trespasses, and other misdemeanors, in the said County perpetrated — That same General Quarter Session of the Peace of our said Lord the King is further adjourned, by the same last mentioned Justices of our said Lord the King, in that Court being, until Wednesday, to wit, the twenty-second day of the same month of January, in the thirty-fourth year of the reign aforesaid, to be holden, by adjournment, at the New Bayley Court House, within Salford, in and for the said County; at which Session of the Peace

of



of our said Lord the King, holden, by the said adjournment, at the New Bayley Court House, within Salford aforesaid, in and for the said County, the said twenty-second day of January, in the thirty-fourth year of the reign aforesaid, before *Thomas Butterworth Bayley, John Entwistle, Joseph Pickford, John Philips, Peter Drinkwater*, Esquires, and *John Griffith*, Clerk, Justices of our said Lord the King, assigned to keep the peace of our said Lord the King, as also to hear and determine divers felonies, trespasses, and other misdemeanors, in the said County perpetrated—That same General Quarter Session of the Peace of our said Lord the King is further adjourned, by the same last mentioned Justices of our said Lord the King, in that Court being, until Thursday, to wit, the twenty-seventh day of the month of February, in the thirty-fourth year of the reign aforesaid, to be holden, by adjournment, at the New Bayley Court House, within Salford aforesaid, in and for the said County; at which Session of the Peace of our said Lord the King, holden, by the said adjournment, at the New Bayley Court House, within Salford aforesaid, in and for the said County, the said twenty-seventh day of February, in the thirty-fourth year of the reign aforesaid, before *Thomas Butterworth Bayley, Joseph Pickford, John Philips*, Esquires, *Charles Prescott*, and *John Griffith*, Clerk, Justices of our said Lord the King, assigned to keep the peace of our said Lord the King, as also to hear and determine divers felonies, trespasses, and other misdemeanors, in the said County perpetrated.

RULES

Rules, Orders, and Bye-Laws,

For the Government of the HOUSE of CORRECTION and PENITENTIARY HOUSE, (commonly called the *New Bayley Prison*) for the Hundred of *Salford*, in the County Palatine of *Lancaster*, made, published, and declared at a General Quarter Session of the Peace, holden by Adjournment at the *New Bayley Court House*, within *Salford*, in the said County Palatine of *Lancaster*, on Thursday the twenty-seventh Day of February, in the thirty-fourth Year of King George the Third's Reign; and confirmed by the JUDGE OF ASSIZE, at the Assizes held for the said County Palatine, on Monday the thirty-first Day of March, 1794.

R U L E Ist.

THE Governor shall not be concerned, either directly or indirectly, in any occupation or employ, but such as may be connected with the duties of his office. He shall keep a journal, in which he shall enter the events of the day.

IId. The Governor shall execute his office in person; see every prisoner in his custody at least once in every twenty-four hours; attend them at chapel, and the distribution of their meals. He shall not absent himself from his duty for a night, or twenty-four hours, without

without leave from a Magistrate, unless in execution of his duty, that may require such absence, which he shall state in his journal.

III^d. The Governor shall have no interest in any contract, or appropriate to his own use any perquisite, but such salary as may be allowed him by the Magistrates. He shall pay all bills left to his charge, enter all accounts concerning the Hundred in a book kept for that purpose, with reference to the vouchers, which he shall lay before the Committee at each General Quarter Sessions, when the same shall be examined, and, if approved, paid. He, or his officers, shall not on any pretence, take a fee, or gratuity, by way of indulgence, dispense any prisoner from wearing irons, or receive a fee for admission of persons to see the New Bayley, or any prisoner therein.

IVth. The Governor, or some person appointed by him, shall, once in every day, go into the day rooms and cells, and carefully examine whether any attempts have been made to escape.

After prayers, a turnkey shall lock the gates at the bottom of the stairs, that the prisoners may not have access to their sleeping cells in the day time, without the Governor's knowledge.

Vth. The Governor shall appoint Constables to each division: they shall sweep the day rooms and cells every morning, wash the same, and be otherwise employed as he may direct, save only that no constable or other prisoner shall be employed as turnkey, or under-assistant, in any degree whatsoever. They shall be confined to their respective duties within the wards of the division to which they belong: he shall also appoint such assistants to each hospital ward, as may be necessary, that the sick may be properly attended. In any case where wine, &c. may be ordered by the surgeon, the same shall be taken to the hospital room by a turnkey, or some other person appointed for that purpose, who shall see it taken by the patient for whom it may be so ordered.

VIth. All prisoners who may be sentenced to hard labour, and in all cases conform to the Rules and Orders laid down by the Court, shall be entitled to one sixth part the clear profit of such work as they may perform during their confinement. And to other prisoners who may not be employed, the Magistrates will make such allowance as their good conduct may deserve; but no allowance shall be given by the Governor to any prisoners for earnings, or otherwise, until the time of their discharge, which shall first be nominated by a visiting Magistrate, and according to the good conduct and reformation of the prisoner, the same signified by a written certificate from the Chaplain and Governor.

VIIth. The Governor shall be allowed such a number of turnkeys, as the Magistrates may think sufficient for the safe keeping of the New Bayley; they shall not absent themselves from their duty without his consent, but shall, including the porter at the gate, be under his immediate direction. They shall not drink, or hold unnecessary conversation with the prisoners, on pain of being discharged the service of the Magistrates, forfeit all arrears of salary to the Hundred, and be further punished as the case may require.

VIIIth. The Governor, or his Officers, shall not on any pretence take into their service or employ any prisoner whatsoever, save only such as may be necessary to work and improve the garden; the produce of which, over and above what may be necessary for their own use, shall be applied to that of the prisoners, free from all deductions or expence whatsoever.

N. B. The feed shall be furnished at the expence of the Hundred.

IXth. A manufacturer shall be appointed as assistant to the Governor, and give such security as the Magistrates may think proper.

proper. It is the duty of this officer, and should be considered as his interest, to keep all prisoners under his charge duly employed; he shall keep an accurate account of the work done by each prisoner, and the expences attending the manufactory, which he shall lay before the Committee at each General Quarter Sessions, when the same will be examined, and, if approved, he will be allowed one sixth part of all work done during the quarter, over and above his salary. He shall not absent himself for a night, or twenty-four hours, without leave, in writing, from a visiting Magistrate, or appropriate to his use any money, or other perquisite arising from the manufactory, until his accounts are passed as above stated. He shall keep a list of all tools delivered to the prisoners, and on leaving work in the evening shall call on them for their tools, which he shall see properly secured during the night. The Governor shall not take him from his duty as manufacturer, more than absolute necessity may require: he shall be allowed a porter, who, in all cases, shall act as turnkey under the Governor's directions, when not employed in the manufactory.

Xth. A Chaplain shall be appointed: he shall read prayers every Wednesday and Friday at a stated hour, and read prayers and preach a sermon every Sunday, Christmas Day and Good Friday. He shall keep a journal, and enter therein the times of his attendance, and such observations as may occur to him in the execution of his duty. In case of sickness, or other necessary engagement, he shall appoint a substitute for the occasion, specifying in his journal the case and the name of the clergyman so appointed. He shall frequently visit the prisoners without the governor or his officers being present, inquire into their situation, and observe the state of their cells. He shall attend any prisoners who may require his spiritual assistance, and administer the Holy Sacrament to such as he may think fit, provided

provided such request be not made at improper times, so as to interfere with the hours of labour. Books of moral and religious instruction shall be purchased at the expence of the Hundred, and left with the chaplain, to distribute to such prisoners as may shew signs of repentance and reformation.

XIth. A Surgeon shall be appointed: he shall attend the New Bayley once every day, and visit the patients in the sick ward; he shall also see every prisoner, whether in solitude or otherwise, at least once in every week; and where he may have cause to believe that their body or mind is materially affected by the discipline or diet, or that wine, diet, clothing, or other necessaries are essential, than such as allowed by the Rules, he shall write the same in his journal, together with such observations as may occur to him in the execution of his duty, which shall be sufficient authority to the Governor to suspend any punishment, vary the diet, or procure the necessaries so ordered, for the time being. He shall further attend, on notice from the Governor of any illness that may happen during his absence; and in case of sickness, or other necessary engagement, shall appoint a substitute for the occasion, specifying the case, and name of the Surgeon so appointed.

XIIth. The walls of the Wards and Cells shall be white-washed twice in every year; in case of putrid or infectious disease, the room or cell from whence such prisoner may be taken, shall be immediately cleaned and fumigated.

XIIIth. On those days whereon the Chaplain is not required to attend, the Governor, or some person appointed by him, shall read a short prayer selected for the occasion; after which the roll shall be called, and each prisoner examined as to the cleanliness of their persons — all such as are clean, and have behaved properly during

during prayers, shall be fed with the allowance for the day, otherwise kept on bread and water, and further punished as the case may require.

XIVth. No liquor shall be admitted into the New Bayley for the use of any prisoner therein, on any pretence whatsoever, unless ordered by the Surgeon.

XVth. Cisterns, with soap and towels, shall be provided in each division, to which the prisoners shall be daily conducted, together with scales, weights, and such other conveniences as the Magistrates may think proper. Every sleeping cell shall be fitted up with one bedstead, one hair mattress, one rug, one blanket, and two coarse hempen sheets. The sheets to be shifted at least once in every month.

XVth. No horses, cows, swine, dogs or poultry, shall be kept within the walls of the New Bayley, except the Governor's watch-dog; and filth of every kind taken without the walls at least once a week, or oftener, if found necessary.

XVIIth. Every prisoner, on his or her commitment, shall be put into the Reception Room, and there remain until visited by the Surgeon. If on examination they be reported foul, the necessary means of bathing, shaving, or washing, shall be adopted, as he may direct; otherwise clothed in the uniform of their class, and passed to their respective division.

XVIIIth. Prisoners must understand, that a quiet resignation to the Rules and Orders laid down by the Court, and that decent submission to the Officers which the Law requires, will be their only claim to the protection of the Magistrates. — They shall rise at the ringing of the first bell in the morning, which from Lady-day to Machaelmas shall be at six of the clock; and from Michaelmas to Lady-day, at sun-rising; wash their hands and faces, make their beds,

and at the second bell repair to Chapel, as decently dressed as their situations will permit; otherwise wash and bathe, as the Governor or Surgeon may direct.

XIXth. All kinds of Games are strictly forbidden, and must be considered by the Governor as offences, and severely punished. No prisoner shall exact from a fellow prisoner any fine or gratuity, under the name of garnish, or other customary plea.

XXth. Prisoners who behave orderly and decently, shall be allowed, every day, one loaf of good household bread, one day old, weighing one pound and a half, for men, and one pound and a quarter for women; together with such extra food as the Magistrates may direct, agreeable to a Table hereunto annexed. On leaving work in the evening shall be taken to their cells, and locked up for the night.

FOR

FOR BREAKFAST.

Half a loaf of bread.
One ounce and a half of oatmeal.
A quarter of an ounce of salt.

DINNER.

SUNDAY. Half a loaf of bread.
Half a pound of beef, without bone.
One pound of potatoes.
A quarter of an ounce of salt.

MONDAY. Three quarters of a pound of bread, half a pint of pease,
and a quarter of an ounce of salt, made into soup.

TUESDAY. Three quarters of a pound of bread, two pounds of potatoes,
and a quarter of an ounce of salt.

WEDNESDAY. Three quarters of a pound of bread, one ounce and a half
of oatmeal, one ounce and a half of rice, and a
quarter of an ounce of salt, made into soup.

THURSDAY. The same as Sunday.

FRIDAY. The same as Monday.

SATURDAY. Three quarters of a pound of bread, and one quarter of a
pound of cheese.

XXIst. The Governor, in dispensing punishments, should have in view solely the reformation of the prisoner, and guard himself against every impulse of personal resentment—on this principle will his conduct be judged. With the power entrusted to him, it cannot be necessary to strike his prisoners, much less can it tend to any good purpose to give his orders in an insolent tone: he should command with temper; enforce his authority with firmness, and punish resistance without favour or partiality.

XXIId. The same humanity and temper that is required of the Governor in the execution of his office, must be insisted on by him in the conduct of his Officers. No Turnkey shall strike a prisoner, unless for self-defence, assault, or menacing action, tending to assault.

The Governor is also strictly enjoined to make information against any Officer who may be guilty of cursing, swearing, drunkenness, or neglecting their duty, as often as they may offend; and the punishment ordered by law shall be inflicted.

TO ENCOURAGE
 Penitence and Reformation
 IN
 CRIMINAL PRISONERS.

THE Magistrates, taking into consideration the unhappy situation of the prisoners confined in the New Bayley, wish, if possible, to save them from destruction, and to reform their lives, that they may become honest members of society—will give every encouragement to

to such as shew signs of repentance and reformation. — To every prisoner, therefore, who may be ordered to hard labour, and strictly obey the Rules and Orders laid down by the Court, they will give one sixth part of the clear profit arising from such work as they may perform, free from all deductions (except in cases where they are furnished with cloaths); and to such other prisoners as may not be employed, the Magistrates will make such allowance as their good conduct may deserve. No prisoners shall be paid any part of their earnings, or other allowance, until the time of their discharge, which shall be in proportion to their good conduct, industry, and reformation, the same being certified in writing by the Chaplain and Governor, in which case the allowance shall first be nominated by a visiting Magistrate.

That the prisoners may not be ignorant of their duty, *it is ordered*, that the Rules shall be read, in Chapel, once in every month; some of which are hereunto annexed, viz.

RULE Ist. Prisoners of every description are strictly forbidden to curse, swear, use abusive language, treat with disrespect the Magistrates, Officers, or any person who may visit the New Bayley. Games of all kinds are also strictly forbidden.

IId. No prisoner shall exact from any other prisoner, a gratuity under the name of garnish, or other customary plea; strike, threaten, quarrel with, or abuse each other.

IIId. No prisoner shall spit upon, or otherwise disfigure the walls or floors of the day rooms or cells, destroy or waste their beds or bedding, or materials committed them to manufacture, nor tear the rules, under pain of being severely punished.

IVth. No prisoners shall procure any other liquor, or food, than such as is allowed by the Rules, or converse with each other after

they are locked up in their cells, look out of the windows, make a noise, or otherwise attract the attention of people without.

Vth. Every prisoner who shall disobey the foregoing Rules, or such others as are laid down by the Court for their reformation and regulation, shall be severely punished, forfeit their earnings, and all protection from the Magistrates.

N. B. These Rules to be pasted up in the Day Rooms or Cells.

Class the First.

MALE FELONS.

RULE Ist. The prisoners in this class, who in all cases conform to the Rules and Orders, shall not be confined to their cells, or otherwise punished; their confinement shall tend merely to safe custody, the cleanliness of their persons, and to the health of themselves and others.

IId. Every prisoner of this class shall be clothed in the prison uniform, and passed to their respective divisions. Their own cloaths purified, and put in the wardrobe, together with every article they may have in their possession at the time of commitment, which on their discharge shall be duly delivered, unless in too foul a state to be preserved; in which case they shall be furnished with a coarse suit at the expence of the Hundred, and their earnings, so far as they will go, shall pay for the same, returning the overplus, if any. They shall not have their heads shaved, unless ordered by the Surgeon—

at

at the time of trial shall wear their own cloaths, in order that they may more easily be identified.

N. B. Prisoners of this class are those committed on a charge of Felony, such as *House-breaking, Shop-lifting, Croft-breaking, &c.*

Class the Second.

FEMALE FELONS.

In all cases as Male, save only, that irons shall not be used in any case whatsoever.

Class the Third.

BRIDEWELL PRISONERS.

In all cases, as Felons before trial — they shall not be cloathed in the prison uniform, but wear their own cloaths, except where they are indecently ragged, in which case they shall be furnished as Felons before trial. See Rule II.

N. B. Prisoners of this class are those committed for bastardy, and want of sureties; and such as may be committed for any time not exceeding one month.

Class

Class the Fourth.

MALE PENITENTIARY, or CONVICTED FELONS.

RULE Ist. Prisoners of this class shall be removed to it instantly on their conviction, and there remain, provided their health will permit. They shall be divided into two classes, denominated the first and second. During the first half year of their confinement, they shall be kept in the first class, which shall be the most severe; and the remainder of their sentence in the second class, less severe. The first class shall be kept separate and apart, so far as the situation of the New Bayley will permit. The second may be allowed to associate two in a cell. They shall be kept to hard, servile labour, every day, except Sunday, Christmas-Day, and Good Friday, so many hours in each, as the season of the year will permit, deducting therefrom the time allowed for meals, and attendance at Chapel, not exceeding eight hours in the months of November, December, and January; nine in February and October; and ten the remainder of the year. Should any prisoner, after being passed from the first to the second class, be guilty of misbehaviour, he or she shall be returned to the first during the remainder of their confinement.

IId. Every prisoner of this class shall wear a collar, or ring of iron round their necks or legs, their heads shaved, and put into the uniform of their class, which shall have certain marks, or badges of disgrace, affixed thereto, as well to humiliate the wearer, as facilitate discovery in case of escape. Their cloaths taken care of as Felons before trial.

IIId. No

IIIId. No person shall have access to any prisoner of this class, but by a special order from a Magistrate; in which case the Governor, or some person appointed by him, shall be present, to prevent unnecessary cabal.

N. B. Prisoners of this class are those committed at the Sessions, and sentenced to three months confinement, and upwards. Those committed for any time not exceeding three months, must be considered as prisoners of the second class.

Class the Fifth.

FEMALE CONVICTS.

GENERAL RULE.

In all cases as Male, with the exception of irons: their hair shall be close cut.

PUNISHMENT.

FIRST DEGREE.

In dark Cells, secluded from Society.

SECOND DEGREE.

In light Cells, with the like seclusion.

E

THIRD

THIRD DEGREE.

The Prisoners confined to their Cells at all times, except at meals, and attendance at Chapel; provided their conduct be orderly, they may, on Sundays, associate with others of the same class, in the day rooms, or airing ground.

All prisoners in solitude, or otherwise confined, shall be let out to air as many hours in each day as the Court will permit: that they may be separate and apart, the time allowed must of course be in proportion to the number confined in the same class.

FOURTH DEGREE.

Fetters and handcuffs shall be provided; they shall not exceed seven pounds in weight, nor shall they be used in the ordinary custody of any unconvicted prisoner: they shall be applied as punishment for contumacy, riots, or attempts to escape. If any prisoner shall refuse to obey the orders laid down by the Court; strike, threaten, or resist the Governor, or his Officers; curse, swear, use abusive words, assault, quarrel with, game, or otherwise defraud his fellow-prisoner; pass the fences allotted to their class; escape, or conspire with any person so to do; damage the beds, bedding, or materials committed them to manufacture; spit on the walls, or otherwise disfigure their cells—these the Governor must consider as heinous offences, and punish the same in any degree admitted by the Rules, or by putting on fetters and handcuffs; in all which cases he shall inform the Chaplain, at his first attendance: if he approves thereof, he shall signify the same by signing his name in a column of the register of punishments left for that purpose: should he disapprove thereof, the Governor may report the same to a visiting Magistrate,

Magistrate, who will enquire into the case, and order accordingly. Should it appear to the Governor that the punishment he is permitted to inflict is insufficient to reduce any refractory prisoner to decent and orderly behaviour; or should he have cause to apprehend that any prisoner is not safely kept without heavier irons, or closer confinement, he shall apply to a visiting Magistrate, who may order, that such contumacious prisoner be kept in continual solitude during their confinement, or allow heavier irons than those permitted by the Rules:

N. B. The Governor, or his Officers, shall not put any prisoner into the cell now called the Black-Hole, or Dungeon, without a written order from a Magistrate for that purpose.

27th. Feb. 1794. The foregoing Rules and Orders having been read;

Ordered, that they are approved by this Court.

THOS. B. BAYLEY, CHAIRMAN.
JOSEPH PICKFORD,
CHARLES PRESCOT,
JOHN GRIFFITH,
JOHN PHILIPS.

Allowed and approved by me,

J. HEATH.

(10)

Magistrate, who will require into the evidence and testimony
should report to the Court the result of his examination. It is
to be a statement of what he has seen and heard, and not a
conclusion or opinion. He should state the facts as they appear
to him, and leave it to the Court to draw the inference.
The Magistrate should also state the names of the witnesses
and the names of the persons who were present at the time
of the offence. He should also state the names of the
persons who were arrested, and the names of the persons who
were released. He should also state the names of the persons
who were present at the time of the offence, and the names
of the persons who were released. He should also state the
names of the persons who were present at the time of the offence,
and the names of the persons who were released. He should also
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